UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/53/105
26 January 1999

Fifty-third session
Agenda item 153

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Sixth Committee (A/53/634)*]

53/105. Establishment of an international criminal court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995 and 51/207 of 17 December 1996,

Recalling also its resolution 52/160 of 15 December 1997, in which it decided to hold the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court at Rome from 15 June to 17 July 1998,

Expressing satisfaction at the completion of the mandate of that resolution by the adoption of the Rome Statute of the International Criminal Court at the headquarters of the Food and Agriculture Organization of the United Nations on 17 July 1998,[1] noting that the Statute was open for signature in Rome from 17 July until 17 October 1998 and that thereafter it will be open for signature in New York at United Nations Headquarters until 31 December 2000, and taking note of the Final Act of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court done at Rome on 17 July 1998,[2]

Noting that a significant number of States have signed the Rome Statute,

---

[1] A/CONF.183/9.

[2] A/CONF.183/10.

Emphasizing the need to make the necessary arrangements for the commencement of the functions of the International Criminal Court in order to ensure its effective operation,

Noting in particular that the Conference decided to establish a Preparatory Commission for the Court, consisting of representatives of States that have signed the Final Act of the Conference and other States that were invited to participate in the Conference,[3]

Noting that the Conference requested the Secretary-General to convene the Preparatory Commission at Headquarters as early as possible, at a date to be decided by the General Assembly,[3]

Bearing in mind the mandate of the Preparatory Commission with regard to the preparation of proposals for practical arrangements for the establishment and coming into operation of the Court, including the finalization before 30 June 2000 of the draft texts of the rules of procedure and evidence and of the elements of crimes,[3]

Recognizing the need for making available adequate resources and secretariat services to the Preparatory Commission in order to enable it to discharge its functions efficiently and expeditiously,

1. *Acknowledges* the historic significance of the adoption of the Rome Statute of the International Criminal Court;[1]

2. *Expresses its deep appreciation and gratitude* to the Government of Italy for hosting the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court in Rome;

3. *Calls upon* all States to consider signing and ratifying the Rome Statute, and encourages efforts aimed at promoting awareness of the results of the Conference and of the provisions of the Rome Statute;

4. *Requests* the Secretary-General to convene the Preparatory Commission, in accordance with resolution F adopted by the Conference,[3] from 16 to 26 February, 26 July to 13 August and 29 November to 17 December 1999, to carry out the mandate of that resolution and, in that connection, to discuss ways to enhance the effectiveness and acceptance of the Court;

5. *Also requests* the Secretary-General to make available to the Preparatory Commission secretariat services, not including the preparation of working documents, to enable it to perform its functions;

6. *Further requests* the Secretary-General to invite, as observers to the Preparatory Commission, representatives of organizations and other entities that have received a standing invitation from the General Assembly, pursuant to its relevant resolutions,[4] to participate in the capacity of observers in its sessions and work, and also to invite as observers to the Preparatory Commission representatives of interested regional intergovernmental organizations and other interested international bodies, including the international tribunals for the former Yugoslavia and Rwanda;

---

[3] Ibid., annex I.

[4] Resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3237 (XXIX), 3369 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/204 and 52/6.

7. *Notes* that non-governmental organizations may participate in the work of the Preparatory Commission by attending its plenary and its other open meetings, in accordance with the rules of procedure to be adopted by the Commission, receiving copies of the official documents and making available their materials to delegates;

8. *Requests* the Secretary-General to take steps to expand the mandate of the trust fund established pursuant to Assembly resolution 51/207 for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Commission of the least developed countries, and encourages States to contribute voluntarily to this trust fund;

9. *Also requests* the Secretary-General to take steps to expand the mandate of the trust fund established pursuant to Assembly resolution 52/160 for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Commission of those developing countries not covered by the trust fund referred to in paragraph 8, above, and invites States to contribute voluntarily to this trust fund;

10. *Further requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Establishment of the International Criminal Court".

83rd plenary meeting
8 December 1998